

HONORABLE CHRISTINE CLARK ASSOCIATE JUSTICE

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: THIRD DEPARTMENT

.....X
In the Matter of Delys St. Hill, M.D.

Case No.

Petitioner,

For a Judgment and Order pursuant to Article 78
Of the Civil Practice Law and Rules

ORDER TO
SHOW CAUSE

-against-

THE NEW YORK STATE BOARD FOR PROFESSIONAL
MEDICAL CONDUCT

Respondent.

.....X

Upon the accompanying Verified Petition of DELYS ST. HILL, M.D. dated the 24th day of August 2016, the Affirmation of Anthony Z. Scher, Esq. affirmed on the 24th day of August 2016, and the exhibits attached hereto, pursuant to New York Public Health Law Section 230-c (5) and upon due consideration, it is hereby :

ORDERED that Respondent, THE NEW YORK STATE BOARD FOR PROFESSIONAL MEDICAL CONDUCT and its agents and representatives show cause at a Term of this Court to be held at Supreme Court of the State of New York, Appellate Division, Third Department, at the Justice Building, Empire State Plaza, Albany, NY on the 12th day of September 2016, at 9:30 o'clock in the forenoon of that day or as soon thereafter as counsel can be heard, why a Judgment and an Order should not be granted and entered by this Court:

- A. Vacating and annulling Respondent's Determination and Order (No. BPMC No. 16 – 286 (annexed as Exhibit A) which suspended Petitioner's license to practice medicine in New York State for a period of three months and which permanently restricted Petitioner's medical license to practicing in an Article 28 facility, and which placed Petitioner on probation for 5 years under specified terms and conditions,
- B. Staying Respondent and its agents and representatives from enforcing the Determination and Order pending the hearing and final determination of the instant proceeding brought on by this Order to Show Cause,
- C. Directing Respondent and/or its agents and representatives to update the public record referring to its Determination and Order,
- D. Granting such other further and different relief as this Court may deem just and proper.

SUFFICIENT CAUSE APPEARING THEREFORE,

Pending the hearing and determination of the ~~matter~~ ^{*motion for a stay*} brought on by this Order to Show Cause, it is

ORDERED that Respondent and its agents and representatives are hereby enjoined and stayed from enforcing the Determination and Order and it is;

FURTHER ORDERED that Respondent and its agents and representatives are directed to update the public record referring to its Determination and Order to reflect the temporary stay.

Let service by overnight delivery (express mail or similar services) of a copy of this Order, together with the papers on which it is based, upon:

- a. Eric T. Schneiderman, Attorney General of the State of New York, Litigation Bureau, 120 Broadway , 24th Floor New York, NY 10271, and upon
- b. Division of Legal Affairs of the New York State Department of Health, Corning Tower, Empire State Plaza, Albany, NY 12237, on or before the ^{27th} day of ^{August} 2016 be deemed good and sufficient service; and it is
- c. FURTHER ORDERED that the motion brought on by this Order to Show Cause shall not be orally argued unless counsel are notified to the contrary by the Clerk of the Court.

Dated: Schenectady, NY
August 26, 2016


Hon. Christine Clark
Associate Justice